IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:22-cv-00017-MR-WCM

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	**ORDER AND**
vs.)	**DEFAULT JUDGMENT**
)	**OF FORFEITURE**
)	
APPROXIMATELY $6,725.00 IN U.S.)	
CURRENCY seized from Logan)	
Kincaid Robinson on or about)	
September 2, 2021, in Jackson)	
County, North Carolina,)	
)	
Defendant.)	
_____)	

THIS MATTER is before the Court on the Government's Motion for Default Judgment.   [Doc. 9].

The Government moves for the entry of a default judgment of forfeiture as to all persons and entities with respect to the $6,725.00 in U.S. Currency ("the Defendant Currency") identified in the Verified Complaint, other than Logan Kincaid Robinson, whose claim has been resolved pursuant to the terms of a settlement agreement entered into between the Government and Mr. Robinson.   [See Doc. 7-1].

On January 27, 2022, the Government filed a verified Complaint for Forfeiture in Rem, alleging that the Defendant Currency seized from Mr. Robinson on or about September 2, 2021, is subject to civil forfeiture under 21 U.S.C. § 881(a)(6). [Doc. 1]. On January 27, 2022, the Clerk issued a Warrant of Arrest in Rem for the Defendant Currency. [Doc. 2].

After the Government filed its Complaint, and in accordance with Rule G(4)(b) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the Government provided direct notice of this action to the known potential claimants. Specifically, on March 7, 2022, the Government mailed notice and a copy of the Complaint to Mr. Robinson, Austin Boykin, and Mr. Robinson's attorney, Russell McLean. Additionally, in accordance with Supplemental Rule G(4)(a), the Government provided notice by publication as to all persons with potential claims to the Defendant Currency by publishing notice via www.forfeiture.gov for 30 consecutive days, beginning on February 1, 2022. [Doc. 4].

The Government has taken reasonable steps to provide notice to known potential claimants, and the Government has otherwise complied with the notice requirements set forth in Supplemental Rule G(4). During the pendency of this action, no individual or entity other than Mr. Robinson has claimed an interest in the Defendant Currency. On April 18, 2022, the

Government filed a motion for entry of default as to all persons and entities other than Mr. Robinson [Doc. 7], and on April 21, 2022, the Clerk entered default [Doc. 8].

Pursuant to Fed. R. Civ. P. 55(b)(2), the Government now requests that the Court enter a Default Judgment of Forfeiture as to all persons and entities with respect to the Defendant Currency other than Mr. Robinson, whose claim was resolved pursuant to the terms of a settlement agreement. See United States v. 15 Trimont Lake Road, No. 2:10-cv-00016, 2011 WL 309921 (W.D.N.C. Jan. 28, 2011) (entering Default Judgment of Forfeiture as to all other persons and entities when a claimant entered into settlement agreement). After careful review, the Court finds that the Government's motion should be granted.

Accordingly, **IT IS, THEREFORE, ORDERED** that the Government's Motion for Default Judgment [Doc. 9] is hereby **GRANTED**, and judgment is hereby **ENTERED** in favor of the United States against all persons and entities with respect to the Defendant Currency other than Logan Kincaid Robinson, whose claim to the Defendant Currency was resolved pursuant to the terms of a settlement agreement.
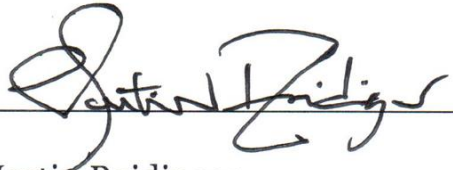
It is **FURTHER ORDERED, ADJUDGED, AND DECREED** that with the exception of the amount to be returned to Mr. Robinson under the terms

of the settlement agreement, any right, title and interest of all other persons and entities to the Defendant Currency is hereby forfeited to the United States, and no other right, title, or interest shall exist.

The United States Marshal is hereby directed to dispose of the Defendant Currency as provided by law, consistent with the terms of the settlement agreement with Mr. Robinson.

IT IS SO ORDERED.   Signed: May 5, 2022

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Martin Reidinger
Chief United States District Judge